

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
BETH P. GESNER
UNITED STATES MAGISTRATE JUDGE

FILED
U.S. DISTRICT COURT
101 W. LOMBARD STREET
BALTIMORE, MARYLAND 21201
(410) 962-4288
(410) 962-3844 FAX

2002 APR -9 P 4: 17

BY FACSIMILE

April 9, 2002

RE: Parker v. Frank's Nursery & Crafts, JFM-00-1292 (Magistrate Judge Gesner)

MEMORANDUM FOR COUNSEL

Dear Counsel:

I have received your recent letters in this case. While it is not completely clear from the letters, it appears that the only court action sought by counsel is a resolution of the cross-motions for summary judgment.

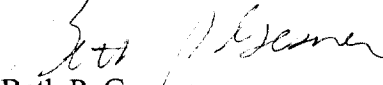
In that regard, please be advised that when this case was administratively closed, all pending motions, in effect, were terminated and are not automatically refiled without some action by counsel. It is my understanding that counsel can refile the relevant papers or can merely file a pleading with the clerk's office indicating that they would like to reactivate their motions. I am sure the clerk's office can give you further guidance on how to accomplish this administrative task.

I also note that when the case was administratively closed that there was also pending a Motion by the Parkers to Vacate Defendant's Reply and Supporting Memorandum to Plaintiff's Opposition, etc. (Paper No. 30). While it appears that the reason for the motion to strike may be moot at this stage, counsel for the Parkers should be aware that they need to refile/reactivate this motion as well if they are asking the court to rule on it.

By Thursday, April 11, 2002, counsel are directed to refile or reactivate any motions and related pleadings they would like the court to consider. Also by the close of business on April 11, counsel should provide me with a status letter (by facsimile or hand delivery) advising me as to what motion(s) are pending and should be resolved by the court.

Thank you for your attention to this matter. Despite the informal nature of this letter, it will constitute an order of the Court and will be docketed accordingly.

Sincerely,


Beth P. Gesner
United States Magistrate Judge

cc: Court file

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